

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:12-CR-68-D

UNITED STATES OF AMERICA, )  
 )  
 v. )  
 )  
 MARCUS TERRELL BURNEY, )  
 )  
 Defendant. )

**ORDER**

On October 29, 2014, Marcus Terrell Burney filed a motion for reconsideration concerning his sentence. See [D.E. 120]. Burney's appeal is pending. See [D.E. 114, 115, 118, 119]. The court lacks jurisdiction over the motion. See, e.g., Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982) (per curiam); Lewis v. Tobacco Worker's Int'l Union, 577 F.2d 1135, 1139 (4th Cir. 1978); cf. 18 U.S.C. § 3582(c). Accordingly, Burney's motion for reconsideration [D.E. 120] is DISMISSED.

SO ORDERED. This 30 day of October 2014.

  
JAMES C. DEVER III  
Chief United States District Judge